



U.S. Department of Justice

United States Attorney
Southern District of New York

The Jacob K. Javits Federal Building
26 Federal Plaza, 37th Floor
New York, New York 10278

January 17, 2025

BY ECF

The Honorable Dale E. Ho
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Eric Adams*, 24 Cr. 556 (DEH)

Dear Judge Ho:

The Government writes to respectfully request a two-week adjournment of today's deadline for the Government's anticipated motion pursuant to Section 4 of the Classified Information Procedures Act ("CIPA"). Despite the Government's best efforts to meet the deadline set by the Court, the Government learned today that a relevant component of the U.S. Government requires additional time to complete its review processes for the materials at issue and to prepare and submit necessary declarations associated with the Section 4 motion. *See United States v. Aref*, 533 F.3d 72, 80 (2d Cir. 2008) (requiring that the "state secrets" privilege be asserted "by the head of the department which has control over the matter, after actual personal consideration by that officer" (internal quotation marks omitted)). The Government has been informed that the relevant component anticipates being able to complete the process by Friday January 31, 2025. Although the requested adjournment may affect certain CIPA-related dates in the current scheduling order (*e.g.* Dkt. 87 at 2 (setting CIPA Section 4 hearing for the week of January 27, 2025)), the Government believes that despite the adjournment it will be feasible to complete CIPA litigation before the April 21, 2025 trial date in this case, and that deadlines unrelated to CIPA practice need not be changed based on this request.

Respectfully Submitted,

Edward Y. Kim
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by: _____/s/

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cc: Counsel of Record (by ECF)